

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

DATE MAILED:

September 24, 2025

MCPB No. 25-104
Administrative Subdivision No. 620230160
Colesville Gardens
Date of Hearing: September 11, 2025

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review administrative subdivision applications; and

WHEREAS, on February 7, 2024, SJBS Properties LLC (“Applicant”) filed an application for approval of an administrative subdivision plan of property that would create three lots for three dwelling units on 0.63 acres of land in the R-90 zone, located at the east corner of the intersection of Octagon Lane and Anderson Street (“Subject Property”), in the Yellow Policy Area and 1997 *White Oak Master Plan* (“Master Plan”) area; and

WHEREAS, Applicant’s administrative subdivision plan application was designated Administrative Subdivision Plan No. 620230160, Colesville Gardens (“Administrative Subdivision Plan” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated August 29, 2025, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on September 11, 2025, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Vice Chair Pedoeem, seconded by Commissioner Linden, with a vote of 4-0; Chair Harris, Vice Chair Pedoeem, and Commissioners Bartley and Linden voting in favor. Commissioner Hedrick was necessarily absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Administrative Subdivision Plan No. 620230160 to create three lots for three dwelling units on the Subject Property, subject to the following conditions:¹

¹ For the purpose of these conditions, the term “Applicant” shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

General Approval

1. This Administrative Subdivision Plan is limited to three (3) lots for three (3) dwelling units.

Adequate Public Facilities and Outside Agencies

2. The Adequate Public Facilities (“APF”) review for the Administrative Subdivision Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).

Plan Validity Period

3. The Administrative Subdivision Plan will remain valid for three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and before to the expiration date of this validity period, a final record plat for all property delineated on the approved Administrative Subdivision Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

Outside Agencies

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated August 14, 2025, and incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Administrative Subdivision Plan approval.
5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Water Resources Section in its stormwater management concept letter dated August 12, 2025, and incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Administrative Subdivision Plan approval.
7. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Fire Department Access and Water Supply Section in its letter dated August 1, 2025, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Administrative Subdivision Plan approval.

Other Approvals

8. Before approval of a record plat or any demolition, clearing or grading for the Subject Property, the Applicant must receive Staff certification of this Administrative Subdivision Plan.

Transportation
Frontage Improvements

9. Before recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDPS to ensure construction of a six-foot-wide (6 ft) sidewalk and six-and-a-half-foot-wide (6.5 ft) buffer along the Property frontage on Anderson Street.
10. Before recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDPS to ensure construction of a six-foot-wide (6 ft) sidewalk and nine-foot-wide (9 ft) buffer along the Property frontage on Octagon Lane.

Record Plats

11. There shall be no clearing or grading of the site prior to recordation of plat.

Easements

12. The record plat must show necessary easements.

Certified Administrative Subdivision Plan

13. The certified Administrative Subdivision Plan must contain the following notes:
 - a. *Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Administrative Subdivision Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of building permit(s). Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.*
 - b. *The Applicant must schedule an on-site preconstruction meeting with M-NCPPC inspection staff before any demolition, clearing, or grading occurs on-site. The Applicant, along with their representatives, must attend the pre-construction meeting with the M-NCPPC inspector. A copy of the approved Certified Administrative Subdivision Plan is required to be on-site at all times.*
14. Before submittal of the Certified Administrative Subdivision Plan, the Applicant must make the following changes:
 - a. Show resolutions and approval letters on the certified set.
 - b. Include the approved Fire and Rescue Access plan in the certified set.
 - c. Revise the Tree Save Plan to address the comments on the plan.
 - i. Show mitigation for the removal of specimen and significant trees. The tree mitigation plantings must be a minimum size of 3 caliper inches.
 - ii. Move the Limits of Disturbance (LOD) to protect trees on adjacent properties.
 - iii. Provide tree protection measures at the LOD to minimize impacts to the trees.
 - iv. Coordinate with adjacent property owners on tree protection measures or removals, if necessary, on all neighbor-owned or shared trees. The tree protection measures must be signed off on by a licensed tree professional, who will be also required to perfume these measures in the field.

- v. The LOD shown on the Tree Save Plan must be consistent with the LOD on the Final Sedimental Control Plan

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board finds, with the conditions of approval, that:

- 1. *The Administrative Subdivision Plan meets the requirements of Chapter 50, Section 6.1.C for up to 3 lots for detached houses permitted in any residential zone or rural residential zone under these procedures if:*

- A. The lots are approved for the standard method of development;***

- The lots were submitted and are approved for standard method development in the R-90 zone.

- B. Written approval for any proposed well and septic area is received from the Department of Permitting Services, Well and Septic Section before approval of the plat;***

- The lots will not be served by wells or septic areas, as the Property is served by public water and sewer service and is designated in the W-1 and S-1 categories.

- C. Any required road dedications and associated public utility easements are shown on the plat and the Applicant provides any required improvements;***

- No additional right-of-way is necessary as the master planned right-of-way has been achieved. The Applicant will coordinate with County agencies to ensure that any necessary public utility easements are shown on the plat.

- D. The requirements for adequate public facilities under Section 4.3.J are satisfied before approval of the plat; and***

- Adequate public facilities exist to support and service the Property in accordance with Section 50.4.3.J of the Subdivision Regulations as discussed in the findings below.

- E. Forest conservation, stormwater management, and environmental protection requirements are satisfied before approval of the plat.***

- As further discussed in the findings section, all forest conservation and environmental protection requirements are satisfied through Forest Conservation Plan Exemption No. 42022117E.

2. *The Administrative Subdivision Plan meets the technical review requirements of Chapter 50, Section 4.3.*

A. The layout of the subdivision, including size, width, shape, orientation, and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.

a. The block design is appropriate for the development or use contemplated

The Project does not propose any new residential blocks. The proposed subdivision is within an existing residential neighborhood with an established street grid and block design.

b. The lot design is appropriate for the development or use contemplated

The Application proposes to create three (3) new lots for three residential detached dwellings (two net new dwelling units) in an existing community. The proposed development is consistent with the character of the existing neighborhood. The proposed lots are compatible with the existing residential development when considering the proposed lot size, arrangement, and setbacks.

c. The Administrative Subdivision Plan provides for required public sites and adequate open areas

i. Master Planned Sites

The Subject Property has not been identified in the Master Plan for a required public site. Adequate open area in the rear of the proposed lots is based on the requirements of front, rear, and side yard setbacks.

ii. Local Recreation

Local recreation improvements are not required of this Application.

iii. Transportation and Utilities

The Proposal meets transportation and utility requirements, as described within agency approval letters and the findings below in Section C.

d. The Lot(s) and Use comply with the basic requirements of Chapter 59

The Project will create three (3) lots for single-family detached residential use while utilizing the existing street frontage for ingress and egress. The Administrative Subdivision Plan meets the dimensional requirements for the R-90 zone as specified in the Zoning Ordinance and as shown in Table 1 below, in relation to maximum density, building height, and minimum setbacks. Additionally, the Application must provide the minimum required amount of parking spaces associated with the proposed use based on the number of residential dwelling units.

Table 1 – Development Standards for the R-90 Zone

Development Standard	Permitted/ Required	Proposed Lot 8	Proposed Lot 9	Proposed Lot 10
Tract Area – (27,558 sq. ft.)	n/a			
Density (units/acre)	4.84	4.72	4.75	4.76
Minimum Lot Area	9,000 sq. ft.	9,235 sq. ft.	9,164 sq. ft.	9,150 sq. ft.
Width at Front lot line	25 feet	≥25 feet	≥25 feet	≥25 feet
Width at Front Building line	75 feet	≥75 feet	≥75 feet	≥75 feet
Maximum Lot Coverage	30%	≤30%	≤30%	≤30%
Principal Building setbacks				
<i>Front</i>	30 feet	≥30 feet	≥30 feet	≥30 feet
<i>Side</i>	8 feet	≥8 feet	≥8 feet	≥8 feet
<i>Sum of Side</i>	25 feet	≥25 feet	≥25 feet	≥25 feet
<i>Rear</i>	25 feet	≥25 feet	≥25 feet	≥25 feet
Principal Building height	35 feet	≤35 feet	≤35 feet	≤35 feet
Vehicle Parking Spots	2/du minimum	4/du	4/du	4/du

B. The Administrative Subdivision Plan substantially conforms to the Master Plan.

a. Land Use

The Subject Property is part of the 1997 *White Oak Master Plan*. While the Master Plan does not include specific language for the Subject Property, the proposed subdivision supports the high-level vision of the Plan, which states, “This master plan envisions the area remaining residential in nature. In-fill development will follow the established residential pattern” (p.13). The proposed three new detached houses in an existing single-family

neighborhood are consistent with the Master Plan recommendation to "[e]ncourage compatibility with surrounding neighborhoods when infill residential development occurs on undeveloped lots that are five acres or less in size and are located within existing residential neighborhoods of single-family detached housing" (p. 18). The new lots are of a sufficient size to support the new detached structures while maintaining compatibility with the surrounding neighborhood.

b. Environment

The Master Plan includes environmental goals for the areas to "Protect and enhance the *White Oak Master Plan* area's natural resources for the enjoyment of residents and sustain a stable and healthy biological environment for native plant and animal populations" (p. 80). The Application protects several existing trees, mitigates additional trees that will be lost within the Property, and manages stormwater runoff using ESD practices within the Property, advancing these Master Plan goals.

c. Transportation

There are no specific transportation recommendations in the 1997 *White Oak Master Plan* for Octagon Lane or Anderson Street. Therefore, the proposed project conforms to the Master Plan.

C. Public facilities will be adequate to support and service the area of the subdivision.

a. Roads and other Transportation Facilities

i. Existing Facilities

Octagon Lane and Anderson Street are both classified as Neighborhood Streets and are two-lane roads that run along the Property's frontages. The existing right-of-way on both roads is 50 feet. There are no sidewalks along either side of Octagon Lane or Anderson Street.

ii. Proposed public transportation infrastructure

As conditioned, and consistent with the 2024 *Complete Streets Design Guide*, a six-foot-wide (6 ft) sidewalk will be constructed, along with a six-and-a-half-foot-wide (6.5 ft) street buffer along the Subject Property frontage on Anderson Street, and a six-foot-wide (6 ft) sidewalk with a nine-foot-wide (9 ft) buffer along the Octagon Lane frontage.

Additional right-of-way dedication is not required along the Property frontages (Octagon Lane and Anderson Street).

iii. *Proposed private transportation infrastructure*

This Project does not propose any private transportation infrastructure.

b. *Local Area Transportation Review (LATR)*

The Project generates fewer than 50 net new person trips² in the morning and evening peak hours. As a result, the Application is not subject to further review under the Local Area Transportation Review (LATR).

c. *Schools*

School Adequacy Test

The proposed Administrative Subdivision is subject to the Updated FY25 Annual School Test, approved by the Planning Board on December 19, 2024, and effective January 1, 2025.

The Project is served by Cannon Road Elementary School, Francis Scott Key Middle School, and Springbrook High School. Based on the Updated FY25 Annual School Test results, the student enrollment and capacity projections of these schools in the Updated FY2025 Annual School Test, which evaluates adequacy for the 2028-2029 school year, are noted in the following table:

Table 2 – Updated FY25 Annual School Test Projections (2028-2029 School Year)

School	Program Capacity	Enrollment	% Utilization	Surplus/ Deficit
Cannon Road Elementary School	448	461	102.9%	-13
Francis Scott Key Middle School	952	1,042	109.5%	-90
Springbrook High School	2,117	1,833	86.6%	+284

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school's adequacy status and ceilings, as determined in the Annual School Test. Under the Updated FY25 Annual School Test, Cannon Road Elementary School, Francis Scott Key

² The Application was accepted on February 7, 2024, and was therefore subject to the 2020-2024 Growth and Infrastructure Policy (GIP), for which an LATR study threshold was 50 or more net new person trips. Per Council Resolution 20-651, the 2024-2028 GIP applies to any application that requires a finding of Adequate Public Facilities accepted on or after January 1, 2025.

Middle School, and Springbrook High School do not require any UPP as identified in Table 3.

Table 3 – Updated FY25 Annual School Test Results

School	Adequacy Status	Tier 1 Adequacy Ceiling	Tier 2 Adequacy Ceiling	Tier 3 Adequacy Ceiling
Cannon Road Elementary School	No UPP	61	79	144
Francis Scott Key Middle School	No UPP	30	101	244
Springbrook High School	No UPP	444	708	1,025

Based on the school capacity analysis performed and summarized in this section, using the Updated FY25 Annual School Test, this Application for three (3) dwelling units does not require a Utilization Premium Payment. With 3 single family detached units, Colesville Gardens' enrollment impact estimate is also 0 elementary school students, 0 middle school students, and 0 high school students.

d. Other Public Facilities and Services

The Property is served by public water and sewer and is classified in the W-1 and S-1 categories, which will be adequate to serve the proposed subdivision. Dry utilities including electricity, gas, and telephone are also available to the Property. Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the 2020-2024 Growth and Infrastructure Policy.

D. The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.

The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines.

The Property is subject to Montgomery County Forest Conservation Law, Chapter 22A of the County Code, but is exempt from the requirements to submit a Forest

Conservation Plan. Forest Conservation Exemption No. 42022117E was confirmed on July 1, 2022, per Section 22A- 5(s)(2) for an activity occurring on a tract of land that is less than 1 acre because the Property is not located within the Commercial Residential (CR) zone classification, the development would not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, the development would not result in a reforestation requirement that exceeds 10,000 square feet, would not result in development within an environmental buffer, except for the allowable uses stated in the environmental guidelines, and preserves forest in any on-site floodplains, stream buffers, steep slopes, critical habitats, and areas designated as priority save areas in a master plan or functional plan. Because the plan proposes an activity or development that would be exempt under Section 22A-5, and that would impact a significant, specimen, or champion tree, Forest Conservation Exemption No. 42022117E requires a Tree Save Plan with mitigation plantings for significant and specimen trees shown as removed. A Tree Save Plan was submitted with Administrative Subdivision No. 620230160 and will be revised to include additional tree protection measures before submittal of the Certified Administrative Subdivision Plan.

E. All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.

The Application received approval of a Stormwater Management Concept Plan from the MCDPS, dated August 12, 2025, per Chapter 19 of the County Code. The SWM Concept Plan demonstrates that stormwater will be managed through Environmental Site Design (ESD) practices. There are no additional environmental protection requirements to be met.

F. Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 4.3.M

Not applicable to this Property because the Applicant does not have actual or constructive notice of a burial site nor is the Property included in the Montgomery County Cemetery Inventory.

G. Any other applicable provision specific to the property and necessary for approval of the Administrative Subdivision is satisfied.

No other provisions apply to the Subdivision.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is

September 24, 2025

(which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal consistent with the Maryland Rules for the judicial review of administrative agency decisions.

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Vice Chair Pedoeem, seconded by Commissioner Linden, with a vote of 4-0; Chair Harris, Vice Chair Pedoeem, and Commissioners Bartley, and Linden voting in favor of the motion, Commissioner Hedrick being necessarily absent, at its regular meeting held on Thursday, September 18, 2025, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board